

1 BEFORE THE ARIZONA MEDICAL BOARD

2 In the Matter of

3 **ROBERT F. GRAVES, M.D.**

4 Holder of License No. 14303
5 For the Practice of Allopathic Medicine
6 In the State of Arizona.

Case No. MD-15-0145A

**AMENDED ORDER FOR LETTER OF
REPRIMAND; AND CONSENT TO THE
SAME**

7 Robert F. Graves, M.D. ("Respondent") elects to permanently waive any right to a
8 hearing and appeal with respect to this Amended Order for a Letter of Reprimand; admits
9 the jurisdiction of the Arizona Medical Board ("Board"); and consents to the entry of this
10 Amended Order by the Board.

11 **FINDINGS OF FACT**

12 1. The Board is the duly constituted authority for the regulation and control of
13 the practice of allopathic medicine in the State of Arizona.

14 2. Respondent is the holder of license number 14303 for the practice of
15 allopathic medicine in the State of Arizona.

16 3. The Board initiated case number MD-15-0145A after receiving Respondent's
17 biannual renewal application in which he disclosed that he voluntarily resigned his hospital
18 privileges in lieu of investigation and received disciplinary action by another state medical
19 board.

20 4. The Nebraska Medical Board ("NMB") initiated an investigation into
21 Respondent's Nebraska license after Respondent's privileges at a hospital were revoked
22 after an investigation into complaints that Respondent had engaged in behavior that posed
23 a health and safety risk to his coworkers and patients and disrupted the orderly operation
24 of the hospital. During the course of the investigation, Respondent completed a
25 psychiatric evaluation and test, after which he was diagnosed with Dysthymic Disorder and
Impulse Control Disorder, unspecified.

1 5. On November 20, 2012, Respondent entered into an Agreed Settlement
2 ("NMB Settlement") with the NMB. The Settlement terms required Respondent to pay a
3 \$5000 civil penalty and enroll in and complete a Disruptive Physician course.

4 6. Respondent completed the PACE course for Anger Management for
5 Healthcare Professionals on April 10-12, 2013. On April 17, 2013, Respondent received
6 verification that he had completed the requirements as ordered of the NMB Settlement.

7 7. The New York Medical Board ("NYMB") initiated an investigation into
8 Respondent's New York license based on the NMB action. On January 28, 2014,
9 Respondent entered into a Consent Agreement and Order ("NYMB Consent") with the
10 NYMB wherein he agreed not to practice in New York. The NYMB Consent was modified
11 on December 30, 2014 to a Censure and Reprimand, and payment of a \$1000 fine, as well
12 as comply with the terms and conditions of the NMB Settlement.

13 8. At its public meeting on August 5, 2015, the Board voted to approve an
14 Order for Decree of Censure and Consent to Same signed by Respondent. The Order
15 was entered by the Board on August 6, 2015.

16 9. At its public meeting on October 7, 2015, the Board voted to offer
17 Respondent an Amended Consent Agreement for Letter of Reprimand.

18 **CONCLUSIONS OF LAW**

19 a. The Board possesses jurisdiction over the subject matter hereof and over
20 Respondent.

21 b. The conduct and circumstances described above constitute unprofessional
22 conduct pursuant to A.R.S. § 32-1401(27)(o) ("[a]ction that is taken against a doctor of
23 medicine by another licensing or regulatory jurisdiction due to that doctor's mental or
24 physical inability to engage safely in the practice of medicine or the doctor's medical
25 incompetence or for unprofessional conduct as defined by that jurisdiction and that

1 corresponds directly or indirectly to an act of unprofessional conduct prescribed by this
2 paragraph. The action taken may include refusing, denying, revoking or suspending a
3 license by that jurisdiction or a surrendering of a license to that jurisdiction, otherwise
4 limiting, restricting or monitoring a licensee by that jurisdiction or placing a licensee on
5 probation by that jurisdiction.”).

6 **AMENDED ORDER**

7 IT IS HEREBY ORDERED THAT:

8 1. Respondent is issued a Letter of Reprimand.

9 DATED AND EFFECTIVE this 3rd day of December, 2015.

10
11 ARIZONA MEDICAL BOARD

12
13 By Patricia E. McSorley
14 Patricia E. McSorley
15 Executive Director

16 **CONSENT TO ENTRY OF AMENDED ORDER**

17 1. Respondent has read and understands this Consent Agreement and the
18 stipulated Findings of Fact, Conclusions of Law and Amended Order (“Amended Order”).
19 Respondent acknowledges he has the right to consult with legal counsel regarding this
20 matter.

21 2. Respondent acknowledges and agrees that this Amended Order is entered
22 into freely and voluntarily and that no promise was made or coercion used to induce such
23 entry.

24 3. By consenting to this Amended Order, Respondent voluntarily relinquishes
25 any rights to a hearing or judicial review in state or federal court on the matters alleged, or

1 to challenge this Amended Order in its entirety as issued by the Board, and waives any
2 other cause of action related thereto or arising from said Amended Order.

3 4. The Amended Order is not effective until approved by the Board and signed
4 by its Executive Director.

5 5. All admissions made by Respondent are solely for final disposition of this
6 matter and any subsequent related administrative proceedings or civil litigation involving
7 the Board and Respondent. Therefore, said admissions by Respondent are not intended
8 or made for any other use, such as in the context of another state or federal government
9 regulatory agency proceeding, civil or criminal court proceeding, in the State of Arizona or
10 any other state or federal court.

11 6. Upon signing this agreement, and returning this document (or a copy thereof)
12 to the Board's Executive Director, Respondent may not revoke the consent to the entry of
13 the Amended Order. Respondent may not make any modifications to the document. Any
14 modifications to this original document are ineffective and void unless mutually approved
15 by the parties.

16 7. This Amended Order is a public record that will be publicly disseminated as a
17 formal disciplinary action of the Board and will be reported to the National Practitioner's
18 Data Bank and on the Board's web site as a disciplinary action.

19 8. If any part of the Amended Order is later declared void or otherwise
20 unenforceable, the remainder of the Amended Order in its entirety shall remain in force
21 and effect.

22 9. If the Board does not adopt this Amended Order, Respondent will not assert
23 as a defense that the Board's consideration of the Amended Order constitutes bias,
24 prejudice, prejudgment or other similar defense.

1 10. Respondent has read and understands the terms of this amended
2 agreement.

3
4 
5 _____
6 ROBERT F. GRAVES, M.D.

DATED: 10-28-15

7 EXECUTED COPY of the foregoing mailed
8 this 3rd day of December, 2015 to:

9 Robert F. Graves, M.D.
10 Address of Record

11 ORIGINAL of the foregoing filed
12 this 3rd day of December, 2015 with:

13 Arizona Medical Board
14 9545 E. Doubletree Ranch Road
15 Scottsdale, AZ 85258

16 
17 _____
18 Board Staff